GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Higher Education Dept. - Restore the three posts of surrendered aided teaching posts in A.C. College, Guntur, so as to accommodate the petitioners 1 to 3 in W.P.No.1449 of 2022 viz., Smt.M.Sarada, Lecturer in Economics, Smt. K. Suneethi Kumari, Lecturer in English & Dr. Havil Prasad Kiran Kumar, Lecturer in Telugu in their parent college - Orders – Issued.

HIGHER EDUCATION [CE] DEPARTMENT

G.O.Rt.No.85 Dated:28/06/2023
Read the following:

1. G.O.Ms.No.42, Higher Education (CE.I) Department,dt:10.8.2021
2. G.O.Ms.No.180, Higher Education (CE) Dept., dt:01.09.2021.
3. Govt. Circular Memo.No.1072635/CE/A1/2021, H.E. Dept.,Dt.12-11-2021.
4. From the CCE, A.P, Lr.Rc.No.80/Admn.I/2021, dt:28.12.2021 (e-file Comp.No.1603535)
5. From the CCE, A.P., Lr.Rc.No.80/Admn.I/2021, dt:14/03/2022 (e-file Comp.No.1666891).
6. G.O.Rt.No.59, Higher Education (CE.A2) Dept., Dt.22.04.2022.
7. Dismissed Orders dated: 15.02.2023 of the Hon'ble High Court of A.P in Writ Petition No.1449 of 2022.
8. From the CCE, A.P, Lr.Rc.No/OP.I/2023, dated: 25.04.2023.

ORDER:

Vide the G.O.1st read above, the Government formulated a policy for takeover of voluntarily willing Private Aided Degree Colleges including minority institutions by the Government. In pursuance of the orders issue by the Government vide.G.O.1st read above, the Commissioner of Collegiate Education, Vijayawada (CCE) submitted a proposal, for absorption of existing aided staff (both teaching and non-teaching) of **A.C. College, Guntur** wherein the management of the said institution submitted their willingness to voluntarily surrender, not the other assets but, all of their duly sanctioned aided posts along with the existing aided teaching and non-teaching staff working in the institution to the Government and all the aided staff of the said institution also gave their consent in writing for absorption into Government.

2. Vide the G.O.2nd read above, the Government accepted the request of the management of the institution to surrender their grant-in-aid in the form of surrendering all of their duly sanctioned aided posts and existing aided staff into the Government and accorded permission to the CCE to absorb the aided staff of the institution into Government Educational Institutions through a transparent web counseling process. Accordingly, the CCE absorbed the aided staff of the institution into Government by posting them in various Government Degree Colleges and permitted the institution to run as a Private Unaided Educational Institution.

3. Later, vide the Cir.memo 3rd read above, the Government, while giving clarification to the options available to the institutions in view of the policy, issued orders providing another opportunity, for those private educational institutions who wanted to reconsider their option given earlier for takeover by Govt (either with assets or only aided staff) or those who did not respond earlier, to exercise their options as given in the circular memo so that the Government can take further necessary action in the matter.

(Contd.2)

4. Accordingly, the CCE, A.P stated, vide the reference 4th read above, that the management of **AC College, Guntur** exercised Option-4 as per the Cir.memo reference 3rd read above, i.e, to take back their aided staff (who were absorbed earlier into Govt service) into their parent college and thereby to continue as Aided College. However, aggrieved by the proceedings of the Commissioner issued to send them back to join in the parent college, some of the concerned staff approached the Hon'ble High Court of A.P and got stay orders. In view of the above, the CCE, vide the reference 5th read above, requested to restore the surrendered aided staff along with their posts for the said institution for drawing salaries for the repatriated staff.

5. Subsequently, Government vide the G.O 6th read above, have accorded permission to the Management of A.C. College, Guntur to restore the surrendered staff along with posts of Teaching and Non-Teaching staff and to continue the College as Private Aided College as per rules in force from time to time and also ordered to continue the absorbed staff in Government Degree Colleges who approached the Hon'ble Court and got stay orders.

6. Later, the CCE, A.P submitted vide the reference 8th read above, Smt. M. Sarada, Lecturer in Economics, Smt. K. Suneethi Kumari, Lecturer in English, Dr. Havil Prasad Kiran Kumar, Lecturer in Telugu and Smt. G. Swapna Sophia, Office Subordinate one among the absorbed staff of the college has filed W.P.No.1449 of 2022 before the Hon'ble High Court questioning the impugned Memo. dated:12.11.2021 and subsequent Proceedings thereon and the Hon'ble High Court on 20.01.2022 granted interim stay on the Impugned Memo., and orders thereon as far as the Petitioners are concerned. On the strength of orders of the Hon'ble High Court the Petitioners are continued in Government Service.

7. However, 3 out of 4 Petitioners in W.P.No.1449/2022 viz., Smt.M.Sarada, Lecturer in Economics, Smt.K.Suneethi Kumari, Lecturer in English and Dr. Havil Prasad Kiran Kumar, Lecturer in Telugu filed petition before the Hon'ble High Court to withdraw the Writ Petition and the Hon'ble High Court in its orders dated:15.02.2023 dismissed the Writ Petition No.1449 of 2022 as far as the Petitioners 1 to 3 viz., Smt.M.Sarada, Smt.K.Suneethi Kumari, Dr.Havil Prasad Kiran Kumar, Lecturer in Telugu. Consequent on dismissal of the Writ Petition, the Petitioners (1 to 3) who are continued in Government Degree Colleges under Court orders have to be sent back to their parents Colleges i.e., A.C.College, Guntur.

8. After careful examination of the matter, the Government hereby accorded permission to CCE, A.P to restore the three posts of surrendered aided teaching posts in A.C. College, Guntur, so as to accommodate the petitioners 1 to 3 in W.P.No.1449 of 2022 viz., Smt.M.Sarada, Lecturer in Economics, Smt. K. Suneethi Kumari, Lecturer in English & Dr. Havil Prasad Kiran Kumar, Lecturer in Telugu in their parent college i.e A.C.College, Guntur, as per policy.

9. Further, the Government hereby permit the concerned authorities to submit bills of repatriated staff from Grant-in-Aid provision and also authorizing the Treasury Department to honor the bills of the above said three (3) aided staf of **AC College, Guntur** from Grant in aid provision as usual treating them to have been repatriated along with posts in which they were earlier working prior to absorption into Government service from the date of joining in their parent College.

(Contd.3)

10. The Commissioner of Collegiate Education, A.P and other concerned officers shall take necessary action in the matter accordingly.

11. This order is issued with the concurrence of the Finance Dept. vide their Finance.U.O.No.2097888/HR-I/FIN01-HR0PDPP(RRD)/84/2023,Dt:12.06.2023.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

J.SYAMALA RAO
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Commissioner of Collegiate Education, Mangalagiri, Gunutr District
The Secretary & Correspondent, of the concerned College through CCE
Copy to
The Accountant General, AP, Vijayawada
The Director of Treasuries and Accounts, A.P Ibrahimpatnam.
The Pay and Accounts Ofce, A.P, Ibrahimpatnam
The OSD to Hon'ble Minister for Education,
The PS to Principal Secretary (Higher Education) to Government,
The Finance Department
SF/SC.

//FORWARDED::BY ORDER//

SECTION OFFICER